

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**FRED BECK, Individually and on behalf of
the Estate of EASTER BECK, Deceased; et al.**

PLAINTIFFS

VS.

CIVIL NO. 3:03CV60-P-D

**KOPPERS, INC., f/k/a KOPPERS INDUSTRIES, INC.;
et al.**

DEFENDANTS

CONSOLIDATED WITH

HOPE ELLIS, et al.

PLAINTIFFS

VS.

CIVIL NO. 3:04CV160-P-D

**KOPPERS, INC., f/k/a KOPPERS INDUSTRIES, INC.;
et al.**

DEFENDANTS

ORDER

This matter comes before the court upon Plaintiffs' Motion for Injunctive Relief [28-1]. Upon due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

The motion is not-well taken and should be denied. A preliminary injunction is inappropriate and impractical in this case. A trial is necessary to determine the veracity of the matters alleged in the motion. Granting the preliminary injunction would improperly circumvent the need for a trial.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiffs' Motion for Injunctive Relief [28-1] filed in *Ellis, et al. v. Koppers, Inc., et al.*, Cause Number 3:04CV160 is **DENIED**. This order should be docketed in both *Beck, et al. v. Koppers, Inc. et al.*, Cause Number 3:03CV60

and *Ellis, et al. v. Koppers, Inc., et al.*, Cause Number 3:04CV160 .

SO ORDERED this the 22nd day of December, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE